

Juvenile Justice Advisory Group
April 22, 2009
Meeting
Maine Criminal Justice Academy

In attendance were: Jacinda Goodwin, Richard Brown, Ned Chester, Dalene Dutton, Jim Foss, Denise Giles, Hannah Kiernan, Joan McDonald, Kathryn McGloin, Dan Nichols, Doug Patrick, Barry Stoodley, Christine Thibeault, Paul Vestal, and Patrick Walsh.

Minutes of the last meeting were accepted without change.

Paul Vestal introduced the newest JJAG member: Jacinda Goodwin from OSA.

Chair's Report:

Paul presented the newspaper notice of Dick Brown's 2009 Dorteia Dix Award for Community Service.

A letter of support for reauthorization of the Juvenile Justice and Delinquency Prevention Act and funding for that Act has been sent to the Coalition for Juvenile Justice.

Janet Mills is trying to schedule time to attend a meeting but will not be available during the legislative session.

It is hoped that Chief Justice Saufley will be able to attend the meeting in May to discuss the 3-year plan and the upcoming summit.

Coalition for Juvenile Justice Council of State Advisory Groups:

\$5 billion has been given to the Justice Department from the stimulus package. It is unknown exactly where it will all go; they are trying to get some for the CJJ.

Ned discussed CCJs position on 3 issues:

1. Federal earmarks – opposed by the CJJ
Moved by Ned Chester, second by Dick Brown, all in favor
2. Adam Walsh Act – opposed to including juveniles
Moved by Christine Thibeault, second by Denise Giles, all in favor
3. DMC – support expansion and strengthening.
 - a. Elevate to a core requirement of the Act
 - b. Require DMC Coordinators in states
 - c. OJJDP takes a more aggressive role and take on role of researcher in DMCMoved by Ned Chester, second by Joan McDonald, all in favor

Dalene asked about DMC data collection and what would it do for Maine? Ned's response is that it would begin the discussions needed to look at Maine's data collection overall. It requires significant time and money, given the low diversity of Maine's population the resources are small. Muskie will have updated data in June.

Ned mentioned our current DMC work with UMaine School of Law and Muskie School of Public Service.

Ned asked for support to discuss with the delegation the amendment before the Judiciary Committee to transfer the JJDP Act advisory role from FACJJ back to CJJ. Patrick reports the FACJJ is silent on this issue.

Moved by Christine Thibeault, second by Joan McDonald, all in favor

Ned will check with CJJ to see if they will tackle the issue of states detaining status offenders.

Competency to Stand Trial – What to do with juveniles with MH/MR issues: Christine Thibeault

Dr. Grisso will work with Maine with support from OJJDP. OJJDP allows five days of technical assistance. Dr. Larson who works with Dr. Grisso will be included in this TA.

Phase 1 – discuss research, establish standards of competency, and develop protocols. This information would then be presented to Judges, District Attorneys, and others as appropriate.

Phase 2 – How to manage juveniles with competency issues with serious offenses. Although a legislative issue, there is a need to balance accountability with the ability to understand.

Dr Grisso is also working with Connecticut to develop protocols. It was not deemed logical to look at other states similar in population to Maine as MH/MR issues are the same everywhere.

Paul suggested this would be a good workshop for the Judicial Summit.

JJ Specialist's Report:

Kathryn invited suggestions for future technical assistance.

Dalene Dutton reported that the National Academy of Science Prevention and Early Intervention report is available. Better yet the executive summary may be downloaded. Dalene will provide this link.

Compliance Monitor training was completed recently. The Vermont JJ Specialist and Compliance Monitor attended the three day training. Maine is doing very well in this area.

Maine has 124 sites to monitor including jails and police lock-ups. Kathryn explained how the sites are identified as needing to be monitored.

After a discussion on possible needs and gaps Kathryn was asked if there was a map of the services available in Maine. She indicated that she will have an intern this summer develop a multi-system map.

Federal Advisory Council on Juvenile Justice Annual Report – Patrick Walsh:

A survey on Survey Monkey will produce a draft a report to be reviewed. Patrick wonders who will review for a final copy. The deadline for members to report to Patrick is early May. This report will eventually reach the President Obama's desk. Pat asked if there is any discussion:

How will the survey results/recommendations be reported? There is space available on the report and it may be enough space to include all the recommendations. The report will also include the work accomplished from the previous 3-year plan.

Not everyone was aware of the survey; he will send out the link to the whole group. He also asked for comments on any problems or concerns with the last 3-year plan.

It was asked if the report should start with the recommendations on the survey or the 3-year plan; the 3-year plan is not prioritized. Patrick reported that all states complete the same survey the results are compiled a national level and prioritized from there. It was proposed that seven priorities from the plan be identified and bounced off the results of the survey to see how Maine falls.

The fall FACJJ meeting is moving forward. A conference call with the national FACJJ representative is scheduled for next week.

Patrick reports that the GEAR Parent Network is working with police departments on a report dealing with mental health crisis. They welcome comments and Patrick will pass them along. GEAR developed a manual for responding to these crises, he will send it out to all.

Committee Reports:

Legislature: Christine Thibeault

Communication monitoring in the juvenile facilities is not done. Christine reports the juvenile facilities need authorization to monitor calls similar to adult facilities. Some of the Croup members believed that it was already being done. Barry Stoodley described the process as written in the parent and resident handbooks. Chair of the Judicial Committee, Stan Gerzofsky, will be provided with clarification of the policy to meet his requirements.

Elimination of violation of civil offense being a new criminal offense – this law is not used and needs to be removed.

There was discussion on children under age 18 charged as adults in other states who come to Maine through the Interstate Compact on Juveniles. These folks may be considered juveniles at the discretion of the receiving jurisdiction. No position has been taken.

Regarding 48 hour holds at a county jail in non-standard metropolitan areas – language on transporting to another facility or jurisdiction will be stricken. This was approved.

Indigent Defense Bill: LD 1132 *An Act to Establish the Maine Commission on Indigent Legal Services* – Ned reported on a proposal that would establish an independent council to oversee this process, thereby taking it out from under the Judiciary where it is a conflict of interest. The Council would consist of five members: three appointed by the Governor, two selected from a list. The attorney list would have three categories: Juvenile, Adult and Family. Attorneys listed under a category must be specifically trained to practice in that area.

Also proposed is to strike “Adequate legal council” and replace with “competent with extensive experience in specific field working in.”

A hearing has been held and Ned and Christine will draft the letter of support to the committee in time for the work session on April 29th.

Moved by Joan McDonald, second by Jim Foss, all in favor

Grants committee: as a result of an appealed filed they will send out an electronic vote, will not be discussed today.

Meeting was adjourned at 11:20.